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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO

ROLON MORRIS,
Plaintiff.

v.
CLARK PACIFIC PRECAST LLC; DOES 1-
20 Individually and in official capacities,
inclusive.

Case No. 2:20-cv-01291-WBS-CKD

**STIPULATION AND ORDER
VACATING CLERK'S ENTRY OF
DEFAULT**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff ROLON MORRIS and Defendant CLARK PACIFIC PRECAST LLC, through their undersigned counsel, that the Clerk's Entry of Default dated August 14, 2020 against Defendant for failure to appear, plead or answer Plaintiff's complaint is set aside and vacated so that Plaintiff can file an amended Complaint naming Clark Pacific, A California General Partnership as Defendant in place of Clark Pacific Precast, LLC. Defendant's counsel stipulates to accept service of the amended Complaint on behalf of Clark Pacific, A California General Partnership. The Parties stipulate and agree that an order effectuating this agreement may be made and entered.

III

IT IS FURTHER STIPULATED AND AGREED that: (1) this Stipulation may be executed in counterparts, and (2) electronic signatures shall have the same force and effect as originals.

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By: /S/ Michael R. Seville
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By: /S/ Terry A. Wills
Terry A. Wills

For good cause showing, IT IS ORDERED that the Clerk's Entry of Default dated August 14, 2020 is hereby vacated and set aside; that Plaintiff shall forthwith file an amended Complaint; that Defendant is granted leave to file a responsive pleading to the Complaint within 30 days from the date of this order; and it is further ordered that, in the meantime, all proceedings in the case be stayed until further order of the court.

PURSUANT OT THE STIPULATION IT IS SO ORDERED

Dated: August 28, 2020

William H. Shurbet

**WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE**